

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

UNITED STATES OF AMERICA and))
THE STATE OF WISCONSIN,))
))
Plaintiffs,)	Civil Action No. 10-C-910
)	
v.))
))
NCR CORPORATION, <i>et al.</i>))
))
Defendants.))
)	

CERTIFICATION OF TRIAL EXHIBITS

The United States of America and the State of Wisconsin (collectively, “Plaintiffs”), and Defendants NCR Corporation, the Georgia-Pacific Defendants,¹ P.H. Glatfelter Company, WTM I Company, CBC Coating, Inc., U.S. Paper Mills Corp. and Menasha Corp. (collectively, “Defendants”), hereby certify that they have reviewed Plaintiffs’ and Defendants’ Combined Trial Exhibit List (“Exhibit A”), attached hereto; that, to the best of their knowledge and belief, it accurately lists the exhibits that were offered into evidence during the trial held in the above-captioned action from Monday, December 3, 2012, through Wednesday, December 19, 2012 (the “Trial”); and that all exhibits listed in Exhibit A were received into evidence by the Court during or after Trial,

¹ The “Georgia-Pacific Defendants” refers to Defendants Georgia-Pacific Consumer Products LP (f/k/a Fort James Operating Company), Fort James Corporation and Georgia-Pacific LLC.

with the exception of those marked “[For Identification Only]” (noted in the third column of Exhibit A),² which were used for demonstrative purposes only.

On or before June 18, 2013, Plaintiffs and Defendants will send to the Court copies of a hard drive containing the exhibits listed in Exhibit A.

Dated: June 14, 2013

² With respect to the “Admission Status” of the Administrative Record exhibits (Exhibits 1-1376)—other than those which Plaintiffs offered into evidence during briefing and to which there were no objections by Defendants—Defendants contend that there continues to be a dispute as to whether they were admissible for all purposes. It is Defendants’ position that since the Court did not resolve whether the Administrative Record exhibits were admitted for all purposes, such exhibits are admissible only for the purposes of evaluating the remedy, as the court concluded that objections were moot because “the court’s conclusions above have not depended on any evidence to which there has been a salient objection, which means that most of the objections are rendered moot or, at most, that they speak to the weight, rather than the admissibility, of the evidence in question” (Dkt. 794 at 68-69), and that “materials from the administrative record did not play a material role in my conclusions regarding divisibility and apportionment.” (Dkt. 794 at 75.) The Parties agree that, when the Court overruled objections to non-Administrative Record exhibits, the Court admitted those exhibits for all purposes. Plaintiffs contend that, since the Court overruled Defendants’ objections to the admissibility of the Administrative Record Exhibits, they are likewise admitted for all purposes, just like every other exhibit with an admissibility objection.

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